

**GLENDALE CITY COUNCIL MEETING**

**Council Chambers  
5850 West Glendale Avenue  
November 22, 2005  
7:00 p.m.**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE [MINUTES OF NOVEMBER 8, 2005](#)**

**PROCLAMATIONS AND AWARDS**

**[BOARDS AND COMMISSIONS](#)**

**CONSENT AGENDA**

**Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.**

1. [PURCHASE OF SEWER CLEANING TRUCK](#)
2. [LIQUOR LICENSE NO. 3-1014 EL CHARRITO AUTHENTIC MEXICAN CUISINE](#)

**CONSENT RESOLUTIONS**

3. [INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE AND REFUNDING BONDS FOR JOHN C. LINCOLN HEALTH NETWORK](#)
4. [PURCHASE OF 4301 WEST PEORIA AVENUE](#)
5. [GOVERNOR'S OFFICE OF HIGHWAY SAFETY DUI PROCESSING VAN GRANT AWARD](#)
6. [JUSTICE ASSISTANCE GRANT AWARD](#)

**PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

7. [REZONING APPLICATION ZON05-06: THE RESERVE AT EAGLE HEIGHTS – 7574 WEST ROSE GARDEN LANE](#)
8. [REZONING APPLICATION ZON05-07: THE ESTATES AT 73<sup>RD</sup> – 7320 WEST CLAREMONT STREET](#)

9. [REZONING APPLICATION ZON05-13: THE ART HOUSE – 7121 NORTH 57<sup>TH</sup> AVENUE](#)
10. [REZONING APPLICATION ZON05-14: CATLIN COURT TOWNHOMES – 7149 NORTH 58<sup>TH</sup> AVENUE](#)

#### **BIDS AND CONTRACTS**

11. [AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – ZONE 4 WATER TREATMENT PLANT](#)
12. [AWARD OF CONSTRUCTION CONTRACT – ZONE 4 WATER TREATMENT PLANT](#)

#### **ORDINANCES**

13. [AIRPORT TERMINAL LEASE WITH FIREBIRD FLIGHT TRAINING CENTER, LLC, DBA AIR SAFETY FLIGHT ACADEMY](#)
14. [AIRPORT TERMINAL LEASE WITH CIRRUS DESIGN CORPORATION](#)
15. [AIRPORT TERMINAL LEASE WITH THE PILOT SHOPPE, LLC.](#)

#### **PUBLIC HEARING – RESOLUTIONS**

16. [MAJOR GENERAL PLAN AMENDMENT \(GPA05-06\): LOOP 303 CORRIDOR AND VICINITY](#)

#### **RESOLUTIONS**

17. [COPS UNIVERSAL GRANT AWARD](#)

#### **NEW BUSINESS**

#### **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

#### **CITIZEN COMMENTS**

If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a Citizen Comments Card located in the back of the Council Chambers and give it to the City Clerk before the meeting starts. The City Council can only act on matters that are on the printed agenda, but may refer the matter to the City Manager for follow up. Once your name is called by the Mayor, proceed to the podium, state your name and address for the record and limit your comments to a period of five minutes or less.

## **COUNCIL COMMENTS AND SUGGESTIONS**

### **ADJOURNMENT**

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

## CALL TO ORDER – PLEDGE OF ALLEGIANCE

## APPROVAL OF THE [MINUTES OF NOVEMBER 8, 2005](#)

## PROCLAMATIONS AND AWARDS

## BOARDS AND COMMISSIONS

### [BOARDS AND COMMISSIONS](#)

**Purpose:** This is a request for the City Council to approve the recommended appointments to the following boards and commissions that have a vacancy or expired term and for the Mayor to administer the oath of office to those appointees in attendance.

			<u>Effective Date</u>	<u>Expiration Date</u>
<b><u>Arts Commission</u></b>				
Winona E. Passmore	Ocotillo	Appointment	11/22/2005	08/23/2007
<b><u>Citizens Bicycle Advisory Committee</u></b>				
Morris Russell	Cactus	Appointment	11/22/2005	02/05/2006
Mariano Vargas	Cholla (Ocotillo)	Appointment	11/22/2005	11/27/2007
<b><u>Parks &amp; Recreation Advisory Commission</u></b>				
Cynthia “Sue” Klima	Barrel	Vice Chair	01/13/2006	01/13/2007
<b><u>Personnel Board</u></b>				
Al Cordova	At-Large (Cholla)	Chair Re-Appointment	12/22/2005	12/22/2006
Ronald H. Myers	At-Large (Mayoral) (Cholla)	Vice Chair Re-Appointment	12/22/2005	12/22/2006
C. Douglas Ward	At-Large (Cholla)	Re-appointment	12/23/2005	12/23/2007

**Recommendation:** Make appointments to the Boards and Commissions and administer the Oaths of Office.

## CONSENT AGENDA

**Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.**

### 1. [PURCHASE OF SEWER CLEANING TRUCK](#)

**Purpose:** This is a request for City Council to approve the purchase of a sewer cleaning truck from Norwood Equipment, Inc. through an existing intergovernmental agreement with the Texas Local Government Purchasing Cooperative (TLGPC).

**Council Policies Or Goals Addressed:** This sewer cleaning truck will help promote the quality of life for Glendale residents by reducing or eliminating sanitary sewer overflows and backups due to debris in sewer lines.

**Background:** The TLGPC is an administrative agency created in accordance with Section 791.001 of the Texas Government Code. This cooperative has expanded to allow governmental entities from other states to participate with an approved intergovernmental agreement in which the city currently participates.

Utilities Department staff evaluated the sewer cleaning truck available through this cooperative and determined the equipment meets the specified service and funding requirements. Delivery is expected within six months from the date of order.

**Previous Council/Staff Actions:** On September 14, 2004, Council approved the current intergovernmental agreement with the TLGPC.

Funding for this sewer cleaning truck was approved as part of the FY 2005-06 budget.

**Community Benefit:** The Environmental Protection Agency has expanded requirements under the Clean Water Act to ensure communities have adequate wastewater collection capacity and incorporate many standard operation and maintenance activities for efficient operation of sanitary sewer collection systems.

This vehicle performs the critical task of cleaning sanitary sewers, which is essential to the efficient operation and maintenance of the sewer collection systems, as well as protecting public health and the environment.

**Budget Impacts & Costs:** Replacement, operations, and maintenance funding is included in the approved budget for FY 2005-06.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
		X	X		\$302,443

**Account Name, Fund, Account and Line Item Number:**

Wastewater Collection, Account No. 84-6445-8400

**Recommendation:** Approve the purchase of a sewer cleaning truck from Norwood Equipment, Inc. through an existing intergovernmental agreement with the Texas Local Government Purchasing Cooperative.

2. [LIQUOR LICENSE NO. 3-1014 EL CHARRITO AUTHENTIC MEXICAN CUISINE](#)

**Purpose:** This is a request by Juan Lopez for the City Council to approve a new series 12 (restaurant, all liquor) license for El Charrito Authentic Mexican Cuisine, located at 5410 West Glendale Avenue. The previous owner operated this business as Kumbala Bar.

**Background:** The approval of this license will not increase the total number of liquor licenses in this area. The previous owner held a series 6 (On/Off Sale Retail - all liquor) at this location.

The establishment is over 300 feet from any school or church. The City of Glendale Planning Department and the Maricopa County Health Department reviewed the application and determined it meets all technical requirements.

The City of Glendale Police Department and the Tax and License Division have determined from their background of the applicant that the recommendation of denial is appropriate. Facts include the calls for service, history at the applicant's other businesses which hold or have held liquor licenses, and business practices.

**Public Input:** No protests were received during the 20-day posting period.

**Recommendation:** Forward a recommendation for **denial** to the Arizona Department of Liquor Licenses and Control for Liquor License Number 3-1014.

**CONSENT RESOLUTIONS**

3. [INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE AND REFUNDING BONDS FOR JOHN C. LINCOLN HEALTH NETWORK](#)

**Purpose:** This is a request for the City Council to approve the issuance of Industrial Development Authority (IDA) bonds in an amount not to exceed \$70,000,000 to finance or refinance the acquisition, construction and equipping of health care facilities for John C. Lincoln Health Network (Lincoln).

**Council Policies Or Goals Addressed:** John C. Lincoln Health Network ensures public safety and awareness through health services located in close proximity to Glendale residents.

**Background:** The Industrial Development Authority of the City of Glendale is an Arizona nonprofit corporation designated by law as a political subdivision of the State of Arizona, and is

empowered to issue revenue bonds and loan the proceeds from the sale of such bonds to finance “projects” as defined in A.R.S. § 35-701. Financing for a health care institution constitutes a “project” within the meaning of the statute. Issuance of IDA bonds will not impact the city in terms of any use of the city’s bond capacity and it does not affect the city’s ability to pursue any other IDA projects.

Lincoln is an Arizona nonprofit 501(C)(3) corporation and is a major provider of health care services in the metropolitan Phoenix area. Lincoln owns and operates two acute care hospital facilities and also owns and/or operates a number of related health care facilities. Approximately \$17 million of the proceeds of the bonds will be used by Lincoln to renovate its acute care healthcare and related facilities at both the Deer Valley and North Mountain facilities, including expanding and renovating surgery space and finishing out a floor of a new patient pavilion at the Deer Valley facility, in order to accommodate growth in the demand for hospital services.

In addition, Lincoln is considering refunding (refinancing) a portion or all of the Series 2000 and Series 2002 bonds issued for the benefit of Lincoln. With interest rates at present levels, Lincoln believes it can achieve a substantial present value savings through the refunding of the Series 2000 and 2002 bonds. The proceeds of the balance of the bonds would be targeted for use in accomplishing such refunding.

Under the provisions of A.R.S. § 35-721, proceedings of the IDA for the issuance of its bonds require the approval of the Glendale City Council, as the governing body of the IDA. The City of Glendale is not liable or obligated for the payment of bonds issued by the IDA.

**Previous Council/Staff Actions:** Council previously approved the issuance of IDA bonds for Lincoln in June 2005 for improvements to the North Mountain acute care hospital facility.

**Community Benefit:** A significant portion of Glendale is in the service area of the Lincoln facilities. As of September 20, 2005, Lincoln employs approximately 592 residents.

In 2004, residents of Glendale had more than 17,500 contacts with the Lincoln facilities through either in-patient care, outpatient treatment or treatment in emergency rooms. Lincoln has a working relationship with Midwestern University in that students receive medical training at the Lincoln-Deer Valley facility and physicians who practice at the Lincoln facilities receive training at Midwestern University.

**Public Input:** The IDA held a public hearing on November 9, 2005 to discuss the issuance of the bonds and thereafter to adopt a resolution authorizing the issuance of bonds.

**Budget Impacts & Costs:** The City of Glendale is not liable or obligated for the payment of bonds issued by the IDA.

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the issuance and sale of revenue and refunding bonds by The Industrial Development Authority in an amount not to exceed \$70,000,000 for John C. Lincoln Health Network.

#### 4. [PURCHASE OF 4301 WEST PEORIA AVENUE](#)

**Purpose:** This is a request for the City Council to approve the acquisition of property located at 4301 West Peoria Avenue. It has been proposed that the City of Glendale acquire this property for a bus pullout, a bus shelter and a gateway feature.

**Council Policies Or Goals Addressed:** Acquisition and development of this property supports Council's policy of ensuring public safety, creating transportation options, and projecting a positive image of Glendale.

**Background:** Exxon bundled the vacant site at 43<sup>rd</sup> & Peoria avenues with 20 other properties from seven states for sale. The bundled sites were purchased by First X Realty of Waco, Texas. The new owner is interested in selling the property to the city.

Exxon-Mobil will continue its environmental cleanup efforts and the city will be indemnified against environmental liability resulting from past use of the property.

**Previous Council/Staff Actions:** In November 2001, Glendale voters approved a transportation sales tax for improvements such as bus pullouts at the 43<sup>rd</sup> and Peoria avenues intersection. The Citizens Transportation Oversight Commission (CTOC) has recommended, and the 2005-2014 Capital Improvement Program includes, \$2.7 million for intersection improvements along 43<sup>rd</sup> Avenue.

On June 3, 2004, CTOC recommended using up to \$200,000 of transportation sales tax funds to purchase this half-acre property.

Council previously approved and accepted a \$336,826 TEA 21 Transportation Enhancement Grant to develop a bicycle/pedestrian rest area.

**Community Benefit:** Westbound buses on Peoria Avenue have a scheduled stop immediately upon entering Glendale, which currently blocks the flow of traffic in the outside lane. This increases accidents and impedes traffic flows. Construction of the bus bay will reduce these problems.

As a gateway to the city, beautification and improvement of the site will help promote Glendale's image and pride of community.

Pedestrian and bicycle improvements will provide a safe, landscaped resting place.

**Budget Impacts & Costs:** Estimate is \$170,000 plus costs. Funds are available in Street Improvements Account No. 33-9490-8100.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$170,000 plus costs



**Account Name, Fund, Account and Line Item Number:**

43<sup>rd</sup>/Bethany Home to Peoria – Street Improvements Account No. 33-9490-8100

**Recommendation:** Waive reading beyond the title and adopt a resolution authorizing the City Manager to sign all documents necessary to affect the purchase of the property located at 4301 West Peoria Avenue in an amount not to exceed \$170,000 plus customary closing costs.

5. [GOVERNOR’S OFFICE OF HIGHWAY SAFETY DUI PROCESSING VAN GRANT AWARD](#)

**Purpose:** This is a request for City Council to accept the grant award of \$185,000 from the Governor’s Office of Highway Safety (GOHS). This grant will fund the purchase of a replacement Driving Under the Influence (DUI) Processing Van as well as personnel overtime for associated enforcement operations.

**Council Policies Or Goals Addressed:** The grant supports the City Council’s goals of ensuring public safety.

**Background:** The Glendale Police Department has received grants from GOHS for DUI related overtime and equipment for the last five years, including a grant to purchase a DUI Processing Van in 1995.

**Community Benefit:** This grant will enhance the Police Department’s ability to expeditiously process individuals arrested for driving while impaired and deter would-be violators of impaired driving by providing enhanced DUI roadblock programs.

Identification and arrest of impaired drivers and safer streets are priorities of the Police Department. Every arrest of an impaired driver means a life has potentially been saved, and the use of a DUI processing van expedites the processing time enabling officers to quickly return to the task of locating and arresting other impaired drivers.

Enforcement priorities for this grant and the West Valley DUI Task Force include major arterial streets throughout the city, roadways in the Bell Road entertainment corridor and those near emerging entertainment venues adjacent to the Cardinal Stadium and Glendale Arena. The additional funds for overtime provided by this grant will provide a higher level of enforcement through more DUI processing opportunities.

**Budget Impacts & Costs:** There is no financial match required for this funding. This is one-time funding by the State of Arizona Governor’s Office of Highway Safety. On-going costs associated with the operation and maintenance of the DUI processing van will be transferred from the existing DUI processing van (3260C01), which will be retired and sent to auction.

A specific account will be set up in Fund 47, the city’s grant fund, once the grant agreement is formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
\$185,000				X	\$185,000

**Recommendation:** Waive reading beyond title and adopt a resolution authorizing the City Manager to accept the grant funds in the amount of \$185,000 from the Governor's Office of Highway Safety for the purchase of the DUI Processing Van and overtime associated with enforcement operations.

#### 6. [JUSTICE ASSISTANCE GRANT AWARD](#)

**Purpose:** This is a request for City Council to accept a grant from the Bureau of Justice Assistance-Justice Assistance Grant (JAG) in the amount of \$75,000. This grant provides funding for advanced training and technology improvements for law enforcement training purposes.

**Council Policies Or Goals Addressed:** The grant supports the City Council's goal of ensuring public safety and awareness.

**Background:** Previously, the U.S. Department of Justice has made funding available to cities through the Local Law Enforcement Block Grant (LLEBG) and Edward Byrne Memorial Justice Assistance Grant Funds. The U.S. Department of Justice has combined the LLEBG and Edward Byrne Memorial Justice Assistance Grant Funds into the JAG fund and Maricopa County serves as the fiscal agent for this pass-through grant. The Police Department received funding through the LLEBG in 1996, 2000, 2001, 2002 and 2004. In addition, funding through the Edward Byrne Memorial Justice Assistance Grant was received in 2001.

This grant focuses funding in two areas:

- Advanced training to increase the number of instructors for training programs to continually increase the proficiency of officers in responding to critical incidents, as well as funds to conduct tabletop and full-scale training exercises.
- The purchase of infrastructure, hardware and software to enhance applications for mobile digital computers.

**Community Benefit:** Increasing the number of instructors permits more timely training on a variety of law enforcement issues, which, in turn, enhances the level of service provided to the community. The enhanced mobile digital computers will permit officers to receive technology updates to their vehicles without having to take the vehicle out of service and permitting officers to remain available for calls for service.

**Budget Impacts & Costs:** There is no financial match required and no additional on-going costs associated with this funding. This is one-time funding by the Bureau of Justice Assistance. A specific account will be established in fund 47, the city's grant fund, once the grant agreements are formally executed.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
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\$75,000				X	\$75,000
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**Account Name, Fund, Account and Line Item Number:**

**Recommendation:** Waive reading beyond title and adopt a resolution authorizing the City Manager to accept the grant funds in the amount of \$75,000 from the U.S. Department of Justice for the Justice Assistance Grant.

## **PUBLIC HEARING – LAND DEVELOPMENT ACTIONS**

### 7. [REZONING APPLICATION ZON05-06: THE RESERVE AT EAGLE HEIGHTS – 7574 WEST ROSE GARDEN LANE](#)

**Purpose:** This is a request by David Evans and Associates representing Loma Vista Development to approve Rezoning Application ZON05-06 located at 7574 West Rose Garden Lane. The applicant is requesting to amend the existing Planned Area Development (PAD) zoning for Community Church of Joy to modify the land use from the existing senior housing to single residential.

**Council Policies Or Goals Addressed:** The proposed subdivision is compatible with the Low Density Residential General Plan designation. The subdivision will add to the city's housing stock, provide housing opportunities, and housing unit diversity. This development incorporates sound growth management techniques by utilizing the surrounding infrastructure.

**Background:** The applicant intends to build an 84-lot single-family subdivision on 44.5 acres at a density of 1.88 dwelling units per gross acre. Lot sizes vary from 10,625 square feet to 18,210 square feet with an average of 11,945 square feet. The minimum lot width is 85 feet and the minimum lot depth is 125 feet.

**Previous Council/Staff Actions:** The Planning Commission recommended approval of this Rezoning Application on October 20, 2005, with five stipulations.

**Community Benefit:** The project promotes development of vacant property and provides housing that is compatible with the surrounding area. In addition, the development will reduce the number of dwelling units allowed on this parcel.

**Public Input:** A neighborhood meeting was held on November 4, 2004. Of the 863 people invited to the neighborhood meeting, 95 property owners and interested parties attended. Issues discussed included school district attendance areas, proposed zoning of development, buffer along northern project boundary, and traffic congestion along 75<sup>th</sup> Avenue.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and approve the Rezoning Application ZON05-06 subject to the stipulations as recommended by the Planning Commission.

8. [REZONING APPLICATION ZON05-07: THE ESTATES AT 73<sup>RD</sup> – 7320 WEST CLAREMONT STREET](#)

**Purpose:** This is a request by MSE Corporation to approve Rezoning Application ZON05-07 located at 7320 West Claremont Street. The applicant is requesting to establish a PRD Development Plan in the R1-6 PRD (Planned Residential Development) zoning district. The applicant is establishing development standards which do not currently exist in the PRD overlay.

**Council Policies Or Goals Addressed:** The proposed subdivision is compatible with the Medium Density General Plan designation. The R1-6 PRD adds to the city's housing stock, provides housing opportunities and housing unit diversity. This development incorporates sound growth management techniques by utilizing the surrounding infrastructure.

**Background:** The applicant intends to build a 15-lot single-family subdivision on 4.85 acres at a density of 3.1 dwelling units per gross acres. Lot sizes vary from 8,481 square feet to 12,836 square feet with an average lot size of 9,060 square feet. The minimum lot width is 60 feet and the minimum lot depth is 110 feet.

**Previous Council/Staff Actions:** The Planning Commission recommended approval of this Rezoning Application on October 20, 2005, with six stipulations.

**Community Benefit:** The project promotes the development of vacant property and provides housing that is compatible with the surrounding area.

**Public Input:** A neighborhood meeting was held on January 26, 2005. Of the 429 people invited to the neighborhood meeting, nine property owners and interested parties attended. Issues discussed included access to Griffin Avenue, single-story restrictions on designated lots, sewer connection on Claremont Street only, and the heights of subdivision walls.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and approve the Rezoning Application ZON05-07 subject to the stipulations as recommended by the Planning Commission.

9. [REZONING APPLICATION ZON05-13: THE ART HOUSE – 7121 NORTH 57<sup>TH</sup> AVENUE](#)

**Purpose:** This is a request by Vanguard CityHome to approve Rezoning Application ZON05-13 located at 7121 North 57<sup>th</sup> Avenue. The applicant is requesting to rezone from C-2 (General Commercial) to PAD (Planned Area Development). The applicant intends to develop a mixed-use development, including residential, retail, and offices within the City Center Master Plan.

**Council Policies Or Goals Addressed:** The proposed development is compatible with the City Center Master Plan. It will preserve and enhance the current “small town” atmosphere while providing a strong economic and social foundation for the community. It will also add to the stability and desirability of the existing neighborhood by adding high-quality retail, residential, and office opportunities.

**Background:** The applicant intends to build a mixed-use development on 2.48 acres in downtown Glendale. Twenty-six three-story townhomes, 30 four-story condominium flats, and commercial/office are proposed for this site. The proposed parking meets the Zoning Ordinance requirements.

**Previous Council/Staff Actions:** The Planning Commission recommended approval of this Rezoning Application on October 20, 2005, with one stipulation.

**Community Benefit:** The project promotes a place where residents, visitors, and employees enjoy the charm of a small town atmosphere that is accessible, pedestrian-friendly, safe, and attractive.

Architecturally, this development will create a distinctive community which harmonizes with and enhances the surrounding areas of downtown Glendale. The streetscape will encourage pedestrian activity and reinforces connections to adjacent blocks and alleys. The townhomes are arranged to include front porches, balconies, and front yards. The front setbacks will vary between townhomes creating a sense of individual units living side by side. They will be accented with shaded walkways and substantial landscaped plaza areas.

**Public Input:** The applicant held two neighborhood meetings, on July 27 and August 2, 2004. Of the invited 700 property owners and interested parties, 43 people attended these meetings. Issues discussed included overall parking in the downtown area and general questions regarding how the property would be developed.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and approve the Rezoning Application ZON05-13 subject to the stipulation as recommended by the Planning Commission.

10. [REZONING APPLICATION ZON05-14: CATLIN COURT TOWNHOMES – 7149 NORTH 58<sup>TH</sup> AVENUE](#)

**Purpose:** This is a request by VanGuard CityHome to approve Rezoning Application ZON05-14 located at 7149 North 58<sup>th</sup> Avenue. The applicant is requesting to establish a PAD Development Plan in the PAD (Planned Area Development) zoning district. The applicant intends to develop a mixed-use development, including residential, retail and perhaps offices within the City Center Master Plan. The existing PAD would not allow this type of mixed use development to occur in downtown Glendale.

**Council Policies Or Goals Addressed:** The proposed development is compatible with the City Center Master Plan. It will preserve and enhance the current “small town” atmosphere while providing a strong economic and social foundation for the community. It will also add to the stability and desirability of the existing neighborhood by adding high-quality retail, residential, and office opportunities.

**Background:** The applicant intends to build a mixed-use development on 1.13 acres in downtown Glendale. Eighteen townhomes and commercial/office uses are proposed for this site. The townhomes will be three stories with enclosed parking for two cars per unit. The proposed parking meets the Zoning Ordinance requirements.

**Previous Council/Staff Actions:** The Planning Commission recommended approval of this Rezoning Application on October 20, 2005, with one stipulation.

**Community Benefit:** The project promotes a place where residents, visitors, and employees enjoy the charm of a small town atmosphere that is accessible, pedestrian-friendly, safe and attractive.

Architecturally, this development will create a distinctive community which harmonizes with and enhances the surrounding areas of downtown Glendale. The streetscape will encourage pedestrian activity and reinforces connections to adjacent blocks and alleys. The townhomes are arranged to include front porches, balconies, and front yards. The front setbacks will vary between townhomes creating a sense of individual units living side by side.

**Public Input:** The applicant held two neighborhood meetings, on July 27 and August 2, 2004. Of the invited 700 property owners and interested parties, 43 people attended these meetings. Issues discussed included overall parking in the downtown area and general questions regarding how the property would be developed.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and approve the Rezoning Application ZON05-14 subject to the stipulation as recommended by the Planning Commission.

## **BIDS AND CONTRACTS**

### **11. [AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – ZONE 4 WATER TREATMENT PLANT](#)**

**Purpose:** This is a request for City Council to approve Contract Amendment Number One to the professional services agreement with Black & Veatch Corporation for the Zone 4 Water Treatment Plant (Oasis Water Campus) project. This amendment includes professional construction administrative services.

**Council Policies Or Goals Addressed:** Approval of this contract amendment will assist in achieving the council goal of maintaining quality city infrastructure.

**Background:** As recommended in the 2003 Water Master Plan, the Oasis Water Campus project consists of a new potable water treatment plant with an initial capacity of 10 million gallons per day and a planned future capacity of 20 million gallons per day. The water treatment plant will provide additional treatment capacity to meet the city's growing potable water demands and improve operational flexibility. Over the last three years, Black & Veatch has been involved with the Comprehensive Water Master Plan and has completed the design on the Oasis Water

Treatment Plant. This is the final phase of the project and includes construction project administration.

**Previous Council/Staff Actions:** On October 14, 2003, Council approved a professional services agreement with Black & Veatch Corporation for the preliminary and detailed design.

On May 14, 2002, Council approved a professional services agreement with Black & Veatch Corporation for the Comprehensive Water Facilities Planning and Design.

**Community Benefit:** The project will provide additional treatment capacity to meet the city's growing potable water demands; maintain exceptional service delivery; and help remain in compliance with changes in State and Federal drinking water standards.

**Public Input:** As part of the public information component to keep citizens informed, a public open house was held on September 15, 2003, to allow property owners and residents the opportunity to obtain information and provide input on the site selection process. Three citizens attended and there were no objections heard or received to the land purchase or the project.

**Budget Impacts & Costs:** The cost for Black & Veatch Corporation to perform professional construction phase services for the Oasis Water Campus Project will not exceed \$5,544,851. Funds for this amendment are available in the FY 05-06 Capital Improvement Plan, Account No. 83-8056-8330, Additional Water Capacity/Oasis Water Campus.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$5,544,851

**Account Name, Fund, Account and Line Item Number:**

Additional Water Capacity, Account No. 83-8056-8330

**Recommendation:** Approve contract Amendment Number One to the professional services agreement with Black & Veatch Corporation, for the Zone 4 Water Treatment Plant (Oasis water Campus) in the amount of \$5,544,851.

12. [AWARD OF CONSTRUCTION CONTRACT - ZONE 4 WATER TREATMENT PLANT](#)

**Purpose:** This is a request for City Council to approve a Construction Manager at Risk (CMAR) contract with Sundt Construction, Inc. for construction of the Zone 4 Water Treatment Plant (Oasis Water Campus) project.

**Council Policies Or Goals Addressed:** Approval of this contract amendment will assist in achieving the council goal of maintaining quality city infrastructure.

**Background:** As recommended in the 2003 Water Master Plan, the Oasis Water Campus project consists of a new potable water treatment plant with an initial capacity of 10 million gallons per day and a planned future capacity of 20 million gallons per day. The water treatment plant will



provide additional treatment capacity to meet the city's growing potable water demands and improve operational flexibility. Design for the project has been completed, and Sundt Construction, Inc. has established a guaranteed maximum price (GMP) for construction. Sundt's GMP was reviewed and approved by Utilities' staff and the project's engineering design consultant, Black & Veatch.

**Previous Council/Staff Actions:** On June 1, 2004, Council awarded Sundt Construction, Inc. a CMAR contract for the design support services.

**Community Benefit:** The project will provide additional treatment capacity to meet the city's growing potable water demands; maintain exceptional service delivery; and help remain in compliance with changes in State and Federal drinking water standards.

**Public Input:** As part of the public information component to keep citizens informed, a public open house was held on September 15, 2003, to allow property owners and residents the opportunity to obtain information and provide input on the site selection process. Three citizens attended and there were no objections heard or received to the land purchase or the project.

**Budget Impacts & Costs:** The guaranteed maximum price for Sundt Construction Inc.'s CMAR contract for construction of the Oasis Water Campus project is \$55,880,594. Funds are available for this project in FY2005-06 and future years of the Capital Improvement Program, Additional Water Capacity/Oasis Water Campus Account No. 83-8056-8300.

To facilitate the payment process, a transfer is require from Additional Treatment Plant Storage, Account No. 83-9276-8300 (\$1,200,221), and from Water System Security, Account 83-9285-8400 (\$50,000) to Additional Water Capacity/Oasis Water Campus.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$55,880,594

**Account Name, Fund, Account and Line Item Number:**

Additional Water Capacity/Oasis Water Campus, Account No. 83-8056-8300

**Recommendation:** Approve the transfers and award the Construction Manager at Risk contract with Sundt Construction, Inc. for the Zone 4 Water Treatment Plant (Oasis Water Campus) project in an amount not to exceed \$55,880,594.

## ORDINANCES

### 13. [AIRPORT TERMINAL LEASE WITH FIREBIRD FLIGHT TRAINING CENTER, LLC, DBA AIR SAFETY FLIGHT ACADEMY](#)

**Purpose:** This is a request for City Council to approve a lease with Firebird Flight Training Center, LLC for Suite 107 B in the Glendale Municipal Airport terminal building.



**Council Policies Or Goals Addressed:** One of Council's strategic priorities is to promote economic development.

**Background:** Firebird Flight Training Center is a flight school that has been operating at the Glendale airport since November 2003. Firebird Flight Training Center trains flight students in state of the art Cirrus Aircraft. Firebird Flight Training originally leased 253 square feet of terminal office space in December 2003. Since that time, Firebird Flight Training has leased an additional 253 square feet in February 2004 and an additional 356 square feet in May 2004, for ground school classes, flight debriefings and one-on-one instruction. Over the past several months, Firebird Flight Training Center has steadily increased the number of students receiving flight instruction. This success necessitates Firebird Flight Training to lease an additional 510 square feet of terminal office space to be used for a flight simulator lab. The total space to be leased by Firebird Flight Training is 1,372 square feet. No additional flights are expected to be generated because of the additional leased space.

The annual rent for Suite 107 B, which is 510 square feet, will be \$8,328.30 for the first year. Prior to renewal, the rent will be adjusted using either the Consumer Price Index or the market rate as established by the current airport rates and charges study for terminal lease rates, whichever is greater.

The term of the office lease will be for one year, with four one-year renewal options. The tenant must provide written notice to the airport manager 90 days prior to the expiration of current term to renew.

**Public Input:** At a public meeting on August 13, 2003 the Aviation Advisory Commission reviewed and voted unanimously to support the request by Firebird Flight Training Center to lease office space in the airport terminal building. After the initial Commission action, subsequent request for office space is reviewed and approved by staff.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the lease of Suite 107 B to Firebird Flight Training, LLC at the Glendale Municipal Airport.

#### 14. [AIRPORT TERMINAL LEASE WITH CIRRUS DESIGN CORPORATION](#)

**Purpose:** This is a request for City Council to approve a lease with Cirrus Design Corporation for Suite 101 in the Glendale Municipal Airport terminal building.

**Council Policies Or Goals Addressed:** One of Council's strategic priorities is to promote economic development.

**Background:** Cirrus Design Corporation is the number one producer of single engine aircraft in the country selling more aircraft than Cessna over the past two years. Cirrus is presently expanding their sales locations throughout the country. Due in part to successful open houses held at the Glendale Airport, Cirrus has selected the Glendale Municipal Airport to open their first sales office in Arizona.

The annual rent for Suite 101, which is approximately 308 square feet, will be \$5,029.64 for the first year. Prior to renewal, the rent will be adjusted using either the Consumer Price Index or the market rate as established by the current airport rates and charges study for terminal lease rates, whichever is greater. In addition to the rent, Arizona customers that purchase new Cirrus aircraft will pay state sales tax at the Glendale rate.

The term of the office lease will be for one year, with four one-year renewal options. The tenant must provide written notice to the airport manager 90 days prior to the expiration of current term to renew.

**Public Input:** At its public meeting on September 14, 2005, the Aviation Advisory Commission reviewed and voted to support the request by Cirrus Design Corporation to lease office space in the airport terminal building.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the lease of Suite 101 to Cirrus Design Corporation at the Glendale Municipal Airport.

#### 15. [AIRPORT TERMINAL LEASE WITH THE PILOT SHOPPE, LLC.](#)

**Purpose:** This is a request for City Council to approve a lease with The Pilot Shoppe, LLC for Suite 203 in the Glendale Municipal Airport terminal building.

**Council Policies Or Goals Addressed:** One of Council's strategic priorities is to promote economic development.

**Background:** The Pilot Shoppe has been operating at the airport for over fifteen years and leases Suite 103, which contains 390 square feet of office space. With the growth of business the company is requesting more office space to meet its' administrative needs. The current lease term for office Suite 103 is five years, October 1, 2002 to September 30, 2007, with the option to renew this lease for five successive one-year periods to September 30, 2012.

The annual rent for the additional 226 square feet (Suite 203) will be \$3,690.58 for the first year. Prior to renewal, the rent will be adjusted using either the Consumer Price Index or the market rate as established by the current airport rates and charges study for terminal lease rates, whichever is greater.

The term of the office lease will be for one year, with four one-year renewal options. The tenant must provide written notice to the Airport Manager 90 days prior to the expiration of current term to renew.

**Public Input:** At its public meeting on May 12, 2004, the Aviation Advisory Commission reviewed and voted to support the request by the Pilot Shoppe to lease additional space for expansion of the store when appropriate space became available.

**Recommendation:** Waive reading beyond the title and adopt an ordinance authorizing the lease of Suite 203 to the Pilot Shoppe, LLC at the Glendale Municipal Airport.

## PUBLIC HEARING – RESOLUTIONS

### 16. MAJOR GENERAL PLAN AMENDMENT (GPA05-06): LOOP 303 CORRIDOR AND VICINITY

**Purpose:** This is a request for City Council to approve a Major General Plan Amendment (GPA05-06) for the northern three miles of the Loop 303 corridor and vicinity. Updating the Land Use Map for this 4.5 square mile area will provide a land use designation that is appropriate along this portion of the Loop 303 corridor.

**Council Policies Or Goals Addressed:** A major amendment to the Glendale 2025 General Plan supports a number of Council goals for the city, such as:

Promotes economic development in the far western portion of the city's Municipal Planning Area (MPA).

Takes a practical step towards growth management in the Loop 303 Corridor.

Provides an opportunity for county residents to learn about the city and provide input into the vision for future development.

Promotes the long-standing partnership with Luke Air Force Base (LAFB) and provides an opportunity to create new partnerships in this area.

**Background:** The current Glendale 2025 General Plan was adopted by City Council in May 2002 and ratified by Glendale voters in November 2002. Glendale 2025 became effective on December 1, 2002. Since the adoption of the Plan conditions in the far western portion of the city's MPA have significantly changed. Changes in conditions include:

Additional state legislation addressing the preservation of military installations within the state. In the case of LAFB a detailed listing of permitted uses now exists within the state statutes. Types and intensity or density of uses are based on the location of the site within the noise contours and accident potential zones associated with LAFB.

LAFB Community Initiatives Staff introduced a graduated density concept in 2003 for a three mile distance beyond the 65 ldn (day-night average sound level) noise contour line to expand the land use compatibility beyond the area mandated by state legislation.

Maricopa County voters approved Proposition 400 half-cent state transportation tax in November 2004. Among the many projects that this tax will fund is the improvement of the Loop 303. This impacts Glendale's MPA since a five mile long stretch of the Loop 303 runs through the far western portion of the MPA.

This request will amend existing land use designations in the area to accommodate anticipated growth. Full improvement of the Loop 303 freeway will substantially increase access to this area and also supports a reassessment of land use designation in this corridor. The 4.5 square mile area chosen for the major amendment represents the most active area for development proposals as well as the area where the greatest opportunity to effectuate change occurs.

Glendale supports the ongoing mission of LAFB and has a long standing partnership with the Base. The major amendment process provides an opportunity for LAFB to provide input on the proposed amendment.

**Community Benefit:** Among the positive impacts to the City and its residents is the potential for future economic development opportunities in the Loop 303 corridor, increase in the tax base, and sales tax revenue for the city. Full improvements to the Loop 303 freeway will substantially increase access to this area. The Northern Parkway is planned to run east/west through the center of this amendment area providing a second major transportation corridor.

**Public Input:** A total of 2,200 notification postcards were sent to adjacent property owners and interested parties on July 12, 2005. Approximately 85 people attended the initial citizen participation meeting with a total of 73 attendees registering. Issues raised included general development concerns, Loop 303 development timing and impact, why Glendale was requesting a major amendment for this area, how will streets be improved, and how transportation impacts will be addressed. Three additional citizen participation meetings were held in order to better define the specific concerns of the property owners and discuss mitigations measures. Two small group meetings were conducted on September 6 and 7, 2005 with attendance of three and six residents respectively. The final citizen participation meeting was conducted on September 14, 2005 and a total of 20 people attended.

The Planning Commission held a total of two public hearings on this matter. The first public hearing was held at Luke Elementary School located at 7300 North Dysart Road. The purpose of this first public hearing was to only gather public input. Two individuals spoke. The second public hearing for the Planning Commission was held on October 20, 2005 in the Council Chambers. One individual spoke and another attendee offered written comments. The Planning Commission recommended approval of this amendment.

**Recommendation:** Conduct a public hearing, waive reading beyond the title, and adopt a resolution approving General Plan Amendment GPA05-06.

## **RESOLUTIONS**

### **17. COPS UNIVERSAL GRANT AWARD**

**Purpose:** This is a request for City Council to accept a \$975,000 Community Oriented Policing Services (COPS) grant award from the U.S. Department of Justice and to approve the hiring of 13 new full-time officers. This grant allocates \$75,000 per officer for salaries and employee-related expenses for three years. The Police Department is one of only 25 agencies nationwide awarded COPS grant funding this year.

**Council Policies Or Goals Addressed:** The grant supports Council's goal of ensuring public safety and awareness. This funding provides additional personnel who will focus on collaborative problem solving processes and improve community-policing efforts by researching, analyzing and implementing solutions to law enforcement related community concerns.

**Background:** The U.S. Department of Justice COPS Universal Hiring Program has made available funding to law enforcement agencies for the hiring and deployment of new, additional, career law enforcement officer positions into community policing roles. The Police Department will be reimbursed a portion of the entry-level salaries and benefits for a period of three years once the new officers are hired. Since 1995, the Police Department has been awarded over \$6 million to hire 81 police officers under the COPS funding.

**Community Benefit:** Working within the requirements of COPS funding, officers will work in partnership with community members to address community concerns and issues city wide. These officers will identify problems, analyze them, develop proposed solutions, and implement those solutions while seeking community input and participation where appropriate. Specific attention will be given to targeting repeat offenders, focusing on issues of concern for the business community, and proactive attention to specific crimes such as narcotics and related criminal activities.

**Budget Impacts & Costs:** The COPS Universal grant allows for a credit of \$30,000 per officer for year one, \$25,000 in year two and \$20,000 in year three. The total anticipated reimbursement for year one will be \$390,000, year two will be \$325,000 and year three will be \$260,000 for a total credit of \$975,000.

The Police Department will immediately begin the process of recruiting/hiring the 13 officers.

The Police Department will need six months worth of funding to cover the costs of the officers for the remainder of FY 2005/06. This six-month funding would cover ongoing costs of \$452,784 and one-time costs of \$299,600 for a total cost of \$752,384. The \$752,384 will be offset by a \$195,000 credit allotted by COPS for the remaining 6 months of FY 2005/06, leaving a remaining balance of \$557,384 to be covered by the General Fund contingency.

The ongoing General Fund cost in FY 2006/07 is estimated to be \$905,569, which will be offset by a one-time credit of approximately \$357,500 from COPS leaving \$548,069 to be paid from the General Fund.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X			X		\$195,000
				X	\$257,784
		X		X	\$299,600

**Account Name, Fund, Account and Line Item Number:**

COPS Universal Grant, 47-xxxx (to be assigned) - \$195,000

Transfer \$557,384 from General Fund Contingency, 01-2450-7000 to the following:

01-3220-6010 - \$199,053

01-3220-6030 - \$ 58,731

01-3220-8400 - \$180,000

01-3220-7400 - \$119,600

**Recommendation:** Waive reading beyond the title and adopt a resolution accepting the grant offer in the amount of \$975,000 from the U.S. Department of Justice; authorize the addition of 13 FTEs as police officers implementing community policing strategies city wide; and to approve a General Fund contingency transfer of \$557,384 to cover the city's six-month costs associated with the 13 police officers in FY 2005/06.

## **NEW BUSINESS**

## **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

## **CITIZEN COMMENTS**

**If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a Citizen Comments Card located in the back of the Council Chambers and give it to the City Clerk before the meeting starts. The City Council can only act on matters that are on the printed agenda, but may refer the matter to the City Manager for follow up. Once your name is called by the Mayor, proceed to the podium, state your name and address for the record and limit your comments to a period of five minutes or less.**

## **COUNCIL COMMENTS AND SUGGESTIONS**

## **ADJOURNMENT**

**Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:**

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));**
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));**
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));**
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));**
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or**
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).**